

cofc



U.S. Patent No. 6,944,338

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent

Patent No.:	6,944,338 <u>B2</u>	Issue Date:	September 13, 2005
Applicant(s):	Michael D. Lock et al.	Docket No.:	P-5100
Serial No.:	09/853,037	Filing Date:	May 11, 2001

For: **System for Identifying Clusters in Scatter Plots Using Smoothed Polygons with Optimal Boundaries**

**REQUEST FOR EXPEDITED ISSUANCE of a
CERTIFICATE OF CORRECTION of OFFICE MISTAKE
UNDER 35 U.S.C. 254 and 37 C.F.R. 1.322**

ATTN: Certificate of Corrections Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**Certificate
MAR 24 2006
of Correction**

Sir:

The above-referenced patent contains an error that was incurred solely through the fault of the U.S. Patent and Trademark Office. Patentee requests an expedited issuance of a certificate of correction in order to correct the error attributable solely to the Office.

Patentee states for the record that the correction requested is for an error in the claims and, thus, is deemed to be of consequence.

Attached herewith is one page of Certificate of Correction form PTO/SB/44 that set forth the corrections requested.

Also attached herewith is a copy of Page 7 of the Amendment dated March 17, 2005, submitted as evidence that the error for which correction is requested is attributable solely to the Office and, further, that supports the correction requested.

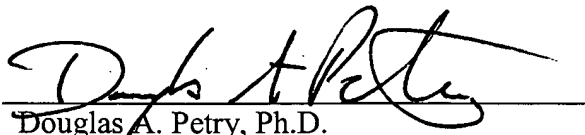
The error for which correction is requested is a typographical error in claim 25 in which the word "plot" in the phrase "three-dimensional plot depicting peaks and valleys" was incorrectly printed as "clot". Issued claim 25 corresponds to pending claim 25, which was amended for the last time in the Amendment dated March 17, 2005. Page 7 of

MAR 27 2006

this Amendment shows the correct claim language for claim 25.

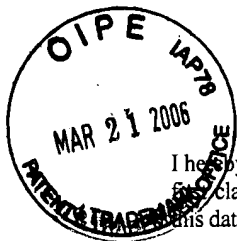
Respectfully submitted,

3/15/06
Date



Douglas A. Petry, Ph.D.
Reg. No. 35,321
Agent for Applicants
Customer No.: 26253
Tel: (408) 518-5074
Fax: (408) 432-6493

MAR 27 2006



CERTIFICATION OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as for first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: March 15, 2006

Jolanta Pence
(Print Name)

Jolanta Pence
(Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re: Patent

Patent No.:	6,944,338 <i>B2</i>	Issue Date:	September 13, 2005
Applicant(s):	Michael D. Lock et al.	Docket No.:	P-5100
Serial No.:	09/853,037	Filing Date:	May 11, 2001

For: **System for Identifying Cluster in Scatter Plots Using Smoothed Polygons with Optimal Boundaries**

TRANSMITTAL

Certificate of Correction Branch
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are the following enclosure(s):

1. Request for Expedited Issuance of Certificate of Correction of Patent (2 pages.);
2. Form PTO/SB/44 (1 pg);
3. Copy of page 7 of Amendment filed on March 17, 2005 (1pg);
4. Return Receipt Postcard.

3/15/06
Date

Respectfully submitted,

Douglas A. Petry
Douglas A. Petry, Ph.D.
Reg. No. 35,321
Agent for Applicants
Customer No.: 26253
Tel: (408) 518-5074
Fax: (408) 432-6493

MAK 27 2006

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

PATENT NO. : 6,944,338 *B2*
APPLICATION NO.: 09/853,037
ISSUE DATE : September 13, 2005
INVENTOR(S) : Michael D. Lock, Sunil S. Dalal, Ilya Gluhovsky.

Page 1 of 1

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

In Claim 25, at Column 15, Line 17, delete "clot" and insert therefor ---plot---.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Douglas Petry, Ph. D.
Becton Dickinson and Company
1 Becton Drive, MC 110, Franklin Lakes, NJ 07417

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAR 27 2006

25. (Currently Amended) An apparatus for identifying clusters in two-dimensional data, wherein said data comprises a plurality of clusters, comprising:

a processing device; and

a memory device coupled to said processing device for storing a cluster finder algorithm, said processing device being programmable in accordance with said cluster finder algorithm to generate a density estimate based on said data, wherein said density estimate is characterized by a three-dimensional plot depicting peaks and valleys, identify at least one cluster in said data, said at least one cluster comprising a plurality of points which satisfy a selected density criteria, and determine a boundary around said at least one cluster.

26. (Original) An apparatus as claimed in claim 25, wherein said processing device is programmable to generate a smoothed density estimate.

27. (Original) An apparatus as claimed in claim 26, wherein said processing device is programmable to implement a Gaussian kernel estimator algorithm to generate said smoothed density estimate.

28. (Original) A method as claimed in claim 25, wherein said data comprises n pairs of points (x_i, y_i) , $i = 1, \dots, n$, and processing device is programmable to generate a two-dimensional histogram, said histogram comprising fewer bins than said points, and determine said density estimate based on said bins.

29. (Currently Amended) A computer program product for identifying clusters in two-dimensional data comprising a plurality of points, wherein said data comprises a plurality of clusters, the computer program product comprising:

a computer-readable medium; and

a cluster finder module stored on said computer-readable medium that generates a density estimate based on said data, wherein said density estimate is characterized by a three-dimensional plot depicting peaks and valleys, identifies at